

.08 Administration of [Group Home] Subsidies.

- A. The Department shall designate, in writing, a local office to:
- (1) Administer the [group home] Program's subsidies;
 - (2)—(3) (text unchanged)
- B.—D. (text unchanged)

RONA E. KRAMER
Secretary of Aging

Title 34 DEPARTMENT OF PLANNING

Subtitle 05 CENSUS AND REDISTRICTING

34.05.01 Redistricting Prison Populations

Authority: *Local Government Article, §1-1307*; *State Finance and Procurement Article, §§5-203, 5-301, and 5-306*; *State Government Article, §2-2A-01*; *Annotated Code of Maryland*

Notice of Proposed Action

[20-094-P]

The Secretary of Planning proposes to amend Regulations .01, .03, and .04 under **COMAR 34.05.01 Redistricting Prison Populations**.

Statement of Purpose

The purpose of this action is to remove deadlines that are no longer applicable, clarify provisions, and incorporate changes necessary based on the Department's experience from the last time it utilized these regulations in 2011.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Paul Cucuzzella, Assistant Attorney General, Maryland Department of Planning, 301 W. Preston St., 11th Fl., Baltimore, MD 21201, or call 410-767-1409, or email to paul.cucuzzella@maryland.gov, or fax to 410-767-4480. Comments will be accepted through June 8, 2020. A public hearing has not been scheduled.

.01 Purpose.

The purpose of this subtitle is to carry out the provisions of Ch. 67, Acts of 2010, which mandates that for a person incarcerated in either a State or a federal correctional facility the population figures used for the congressional and legislative districting plans that follow each decennial census count the person at the location of the person's last known residence before incarceration.

.03 Definitions.

- A. (text unchanged)
B. Terms Defined.

(1) "Bureau" means the Federal Bureau of Prisons.

(2) "Correctional Services" means the Department of Public Safety and Correctional Services.

[(1)] (3) (text unchanged)

[(2)] (4) "Federal correctional facility" means a correctional facility that is located within Maryland and operated by the [Federal] Bureau [of Prisons].

[(3)] (5) "Geocode" means the process of establishing geographical coordinates from [an] a postal address.

[(4)] (6) Incarcerated Individual.

(a) "Incarcerated individual" means an individual who is actually or constructively detained in a [state] State correctional facility or a federal correctional facility on the date of the decennial census.

(b) "Incarcerated individual" does not include an individual:

(i) (text unchanged)

(ii) Whose last known [address] residence is [an out-of-State address] not within the State of Maryland.

[(5)] (7) "Last known residence" means [a] the domicile of an incarcerated individual immediately prior to the incarceration [in a state or federal correctional facility].

[(6)] (8) State Correctional Facility.

(a)—(b) (text unchanged)

(c) "State correctional facility" does not include:

(i) The centralized booking facility in Baltimore City that is operated by the Division of Pretrial Detention and Services in [the Department of Public Safety and] Correctional Services; or

(ii) A local correctional facility as defined in Correctional Services Article, §1-101, Annotated Code of Maryland.

.04 Geocoding Last Known Residence of Incarcerated Individuals.

A. [The] Following completion of each decennial census, the Department shall:

(1) Request and receive from Correctional Services and the Bureau the address of the last known residence for each incarcerated individual; and

(2) Subject to §§B and C of this regulation, geocode [the last known residence of an] for each incarcerated individual [that was provided by the Department of Public Safety and] the address of the last known residence received from Correctional Services or the [Federal] Bureau [of Prisons].

B. The Department shall make reasonable efforts to correct [the last known addresses] any address received from Correctional Services or the Bureau that [are ungeocodable including] the Department is unable to geocode by, among other things:

(1) Verifying and correcting the address zip [codes] code against the United States Postal Service zip code locator;

(2) Correcting any misspellings [of city and street names] in the address;

(3) Correcting or adding a street [suffixes against the United States Postal Service zip code locator] suffix or prefix;

(4) Correcting or adding a street direction [using the United States Postal Service zip code locator]; and

[(5)] Removal of extra information from the address field;

[(6)] Removal of apartment number; and

[(7)] (5) [Removal of decimal point] Removing from the address any extraneous, superfluous, or inaccurate information.

[C. Ungeocodable Last Known Address.

(1) On or before February 11, 2011, if the Department is unable to geocode the last known address of an incarcerated individual after making reasonable efforts in accordance with this section, then the last known address of an incarcerated individual shall be the state or federal correctional facility where the individual is incarcerated.

(2) On or before February 11, 2011, if the Department is unable to determine whether an incarcerated individual was not a resident of

the State based on information provided by the Department of Public Safety and Correctional Services prior to incarceration, then the Department will assign the geographical coordinates of the state or federal correctional facility where the incarcerated individual is located.

(3) The Department will assign the geographical coordinates of the state or federal correctional facility where the incarcerated individual is located.]

C. When Unable to Geocode Last Known Residence. The last known residence of an incarcerated individual shall be the State or federal correctional facility where the individual is incarcerated if:

(1) The address provided to the Department for the individual by Correctional Services or the Bureau cannot be geocoded for reasons included in §D of this regulation; or

(2) The Department is unable to geocode the address provided to the Department for the individual by Correctional Services or the Bureau after making reasonable efforts in accordance with §B of this regulation.

D. [Examples of ungeocodable last known addresses] Addresses that cannot be geocoded include:

(1) [Addresses] An address defined as "homeless" [or no];

(2) An address listed [for the incarcerated individual] as no address for an individual;

[(2)] (3) [Addresses] An address identified as a [state] State or federal correctional [facilities] facility;

[(3)] (4) [Rural] A rural route [addresses] address;

[(4)] (5) [Post] A post office box [addresses] address;

[(5)] (6) [Addresses with] An address that includes no house number;

[(6)] (7) [Other addresses including those with no street suffix, other extra information in the address, or multiple errors in the address] An address with other errors or omissions that cannot be corrected in accordance with §B of this regulation; and

[(7)] (8) [Addresses that are incorrect or are not contained in the United States Census Bureau's TIGER street centerline file used to geocode addresses] An address that cannot be located through use of the geocoder mapping applications utilized by the Bureau.

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